THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :23182 of 2007

DATED:02-11-2007

BETWEEN:

Maganti Lakshmi Bai.

..... PETITIONER

AND

The District Collector,
Chilakalapudi,
Machilipatnam,
Krishna District & 2 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 3rd respondent in issuing the proceedings Rc.No.A.188/2007, dated 28-06-2007, under the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules 2007 (for brevity, 'the Rules') and proposing to dispossess the petitioner from the lands admeasuring Ac.2.12 cents in R.S.No.14/1A, 14/1B, 14/1C, 14/2A and 14/2B situated in Gopavaram village, Kaikaluru mandal, Krishna District, as illegal and arbitrary.

3. It is the case of the petitioner that as against the order passed by the 3rd respondent-Tahsildar, Kaikaluru mandal, Krishna District in Rc.A.188/07, dated 28-06-2007, in resuming the lands of an extent of Ac.2.12 cents in R.S.No.14 situated in Gopavaram village, Kaikaluru mandal, Krishna District on the ground that the said lands are originally assigned in favour of one Kurella Gangaiah and other landless poor but the said lands have been transferred in contravention of sub-Section 2 of Section 3 of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977, she filed an appeal before the 2nd respondent-Revenue Divisional Officer, Gudivada on 23-08-2007 along with the application for grant of stay.

4. Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case if any appeal is said to have been filed and pending on the file of the 2nd respondent against the order of the 3rd respondent in Rc.A.188 of 2007, dated 20-08-2007, 2nd respondent is directed to consider and dispose of the said appeal as expeditiously as possible without any unnecessary delay and pending appeal petitioner shall not be dispossessed.

5. Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

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V.ESWARAIAH,J

02nd November, 2007.

Note:

Issue operative portion of the order
by wire at party's costs.

B/o

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